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Newsletter made by Gilles Quénéhervé, Intern, Naya Sawera Vikas Kendra

Amendment to RFCTLARR Act, and Ekta Parishad Reaction

An Act to protect Tribals from Displacement and diverse abuses

To understand the whole article, it is really necessary to understand the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act.

To introduce very briefly this Act, its purpose was to ensure, in consultation with **institutions** of local self-government and Gram Sabhas a humane, participative, informed and transparent process for land acquisition for **industrialization**, development of essential infrastructural facilities and urbanization with the **least disturbance** to the owners of the land and provide just and **fair compensation** to the affected families whose land has been acquired or to be acquired and make adequate provisions for such affected persons for their rehabilitation and resettlement and for ensuring that the cumulative outcome of compulsory acquisition should be that affected persons become **partners in development** leading to an improvement in their post acquisition social and economic status and for matters connected therewith and incidental thereto.

Provisions under this Act related to Land Acquisition, Compensation and Rehabilitation shall apply when the appropriate **government** acquires land for its **own use**, hold and control, including for public sector undertakings and for public purpose and shall include the following purposes: Strategic purpose (military, naval, air force), Infrastructure projects (transportation, industrial corridors, tourism), Projects for housing, Public Private partnership projects

In case of an acquisition for **private companies**, the **prior consent of at least 80% of the affected families** was needed whereas for public private partnerships, the prior consent of at least 70% of the affected families is needed. Whenever the government intends to acquire land for public purpose, it shall inform the concerned Panchayat or Municipality in the affected area and carry out the **social impact assessment**.

Modis's Make In India Project

But in the framework of Make In India project through which Narendra Modi is determined to attract foreign direct investments, its Government has decided to amend the Act at the end of 2014 to facilitate the access to land for companies without taking into account poor people's opinions and the upheaval it will create among them. To acquire land, companies will no longer require the agreement of the population targeted, local government officials are from now entitled to grant land certificates for companies which can lead to displacements. Vested interests will thrive **but what about people's prosperity?**



In the wake of this amendment damaging the living conditions of the poorest Indians, Ekta Parishad organized a huge peaceful foot march from Palwal to Delhi from the 20th to the 26th of February 2015. 6000 adivasis took part in the event,

sleeping on the road at night, no matter if trucks never stop honking the horn on the other side of the road. Each and every participant had only to provide one empty plastic bottle and to bring its own blanket. Some villages were also able to bring some rice and fruits to support the struggle.



One may disagree with their claims but must **respect** their non violent way of protest. The most impressive was probably to see Ekta Parishad's leaders, including Rajagopal PV sleeping next to the most deprived. And indeed, outside Delhi, policemen afforded them the respect they deserved. Inside Delhi, it was another story, but hopefully, no clash between security forces and adivasis had to be reported. Moreover, we can regret the lack of media coverage before the foot march entered inside the capital.

Rajnath Singh, the union minister for Home Affairs didn't want this foot march to spin out of his control and promised Indian Government will reconsider the amendment. Together with Amitsah, the president of BJP, they announced the creation of a seven people comity and asked Ekta Parishad members to grant them some time. As after 24 hours, there was no sign on behalf of the government, Rajagopal organized on the 25th a huge seminar next to Jantar Mantar blocking one of the road accesses to Connaught Place. Many sightseers mustered to understand the purpose of such gathering and at last, many television channels came to cover the event. Rajagopal pinned his hopes in spreading the kind of foot march all around India to bring pressure to bear on Indian governing bodies.



Whereas the government and the Lok Sabha do not encompass tribal needs in their policies, the Yatra (foot-march in Hindi) was an appeal to Indian officials to shoulder their responsibilities regarding the entire Indian People. Then, the idea was to bolster the awareness of Indians in general as far as Tribals are concerned. At last, as it is mentioned in Indian constitution, the people give the power to the Government to represent it. This way, the government is only a servant and Ekta Parishad wanted to remind it has no right to override this role.

Strengthening FRA in Jharkhand: Gram Sabha Saptah

In Jharkhand, 75% of the population is living in rural areas, and utterly dependent on forests. Nevertheless, since now, the implementation of the Forest Right Act has been genuinely unsatisfying, jeopardized by the lack of awareness of dwellers regarding their rights on the one hand and the lack of field knowledge on behalf of government officers on the other. As a consequence of this lack of linkage between government institutions and Tribals, no CFR (Community Forest Right) which recognizes the ownership of a community over a particular area, has been granted so far throughout all Jharkhand. Then, out of millions of tribal people depending on forests, only 17 000 individuals have received IFR so far.

Taking into account this discrepancy, in the framework of PACS project, Naya Sawera Vikas Kendra decided to organize a Gram Sabta, a 7 day event from the 16th to the 22nd of February with the overarching willingness to buttress the implementation of FRA in Jharkhand. As far as logistics are concerned, our Secretary, Mr Birendra Kumar has attended to a two meetings in Simdega. The first day was dedicated to a “Forest Friend” training led by Birendra and gathering 45 Panchayat leaders of Simdega. The purpose was to uplift Tribal Leaders knowledge regarding how to fill administrative papers to get FRA papers. On the second day, District Officers and Coordinators joined the meeting.

On the 16th, the Gram Sabta began in Gumla, it will then move to Giridih, Palamu, and then Chatra. From 0 CFR papers today, NSVK’s objective is to reach an amount of 300 papers at the end of year. It also wishes to get 30 000 more IFR papers.

Finally, after a three day meeting of all PACS field workers, NSVK was able to make a assessment of this initiative to strengthen FRA in Jharkhand. In the five districts targeted under PACS project, 150 Gram Sabha gathered during which more than 4656 IFR demands and 94 CFR claims have been filled. In total, 11776 dwellers took part in these meetings and will probably experience positive consequences of this Gram Sabha Saptah.

Birendra's seven proposals for JH Political Leaders

On the 9th of February, 70 people including students, MLA, ex MLA, political party leaders, journalists, social workers involved in NGOs activities gathered to discuss Political and Election reforms for Jharkhand.

During this meeting, Birendra Kumar, secretary of Naya Sawera Vikas Kendra made an ambitious seven proposal plan that according to him should enable to better cater for poor people's needs.

- 1) Before running for a seat in the legislative assembly, every candidate should spend at least five years in rural villages of Jharkhand. STs represent almost a third of Jharkhand population, they should not be forsaken.
- 2) Considering that the collusion between companies and political leaders is a major setback for the democracy, every leader having accepted money from rich CEO should be kept away from governmental responsibilities.
- 3) In the framework of the last state election in Jharkhand last December, it turned out that for every member of Legislative Assembly, 70 lakhs have been racked up as part of their campaign expenditures. In comparison with the poverty of Jharkhand, this is genuinely disrespectful.
- 4) In the wake of election results, experts committees should be set up to uplift MLAs knowledge and help him or her to take the most enlightened decision possible.
- 5) Political parties should also abide by RTI (Right to Information Act). Nowadays, only administration, firms and government officers are subjected to RTI.
- 6) Land is essential for people's livelihood in India and indeed, 63% of Indians are dependent on agriculture. Roti, bread, rice, and even clothes are made from the ground. However, there is no real land agenda.
- 7) MLAs should participate to at least 5 Gram Sabha per month. It would enable them to take decisions tallying with the realities of the ground.

Obviously, implementing these propositions won't be a cakewalk but NSVK will fight for it.

Girls Trafficking In Jharkhand

Jharkhand is counted as one of the most vulnerable states for trafficking of women and children according to a report by the UN Office on Drugs and Crime. Much of the trafficking is done by placement agencies that are actually organized crime syndicates, the report said.

It is more like a business with common people having their shares. The problem, civil society groups say, has become worse as trafficking rings have forged inter-state links to get around enhanced vigil by state governments. One ploy used by traffickers is to take girls from Jharkhand to far-off places like Assam, where they are less likely to attract the attention of police, before sending them to metros like Delhi. Another report by the Action against Trafficking and Sexual Exploitation of Children (ASTEC) in 2010 said about 42,000 girls had been trafficked from Jharkhand to metropolitan cities. As quoted by Hindustan Times, most of girls serve as bonded labor and therefore they are not allowed to interact with anyone except their employers. The less fortunate ones are made to work as sex slaves or become surrogate mothers and organ donors.

Revelations by some rescued girls have blown the lid off the flourishing human trafficking racket in Jharkhand's tribal hinterlands, a hotbed of modern day slavery where family members, neighbours, local politicians and even NGOs are involved in well-organised rings.

Reports say that, over 5 lakh women and children are trafficked every year in India.

Nobel laureate Kailash Satyarthi's Bachpan Bachao Andolan (BBA) has identified Rangia railway station in Assam as a transit point for trafficked children from eastern states. Around 58 girls, 18 of them from Lohardaga, were rescued from Doboka in Assam in September last year. Girls from Gumla, Lohardaga, Khunti and Simdega are also taken to Chattisgarh or Orissa and handed over to agents who send them to other destinations.

The BBA also found that agents in Punjab, Haryana and the National Capital Region are working together.

"These agents in eastern and northern states are functioning in a joint racket under the same syndicate based in New Delhi," said Rakesh Sengar, director of victim assistance in BBA.

Many NGOs claimed that there are several villages without any teenagers, especially girls. Either they have migrated for jobs or have been trafficked. The remotest of villages in eastern India that are worst hit by poverty and hunger. In the districts of Gumla, Simdega and Khunti, animals are said to be costlier than children and poor people to worry more for their cattle more than their missing children. Such is the apathy that thousands of girls from the three districts have gone missing over the past three decades but their families and the administration have been unable to locate them.

Many victims are sold to trafficking rings by their relatives. Despite the presence of tough laws, trafficking of children has continued unabated from Jharkhand. The BBA says it rescued almost 80,000 children across India, of whom 15% to 20% were from Jharkhand and Bihar.

Read more on <http://www.indiatvnews.com/news/india/jharkhand-most-vulnerable-for-trafficking-of-girls-48128.html>

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